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PTO/SB/21 (01-08)
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/826,690-Conf. #9585	
	Filing Date	April 19, 2004	
	First Named Inventor	Valerie Legrand	
	Art Unit	1618	
	Examiner Name	L. Schlientz	
Total Number of Pages in This Submission	284	Attorney Docket Number	022290.0116C1US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition for Unintentionally Delayed Claim for Priority	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Statement of Substance of Examiner Interview
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Credit Card Payment Form
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	PATTON BOGGS LLP		
Signature	[signature]		
Printed name	Lacy L. Kolo		
Date	January 28, 2008	Reg. No.	55,340



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FEE TRANSMITTAL For FY 2008		Complete if Known	
		Application Number	10/826,690-Conf. #9585
		Filing Date	April 19, 2004
		First Named Inventor	Valerie Legrand
		Examiner Name	L. Schlientz
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Art Unit	1618
TOTAL AMOUNT OF PAYMENT		(\$)	2,460
		Attorney Docket No.	022290.0116C1US

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☐ Deposit Account Deposit Account Number: 50-2228 Deposit Account Name: Patton Boggs LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	210	105
Multiple dependent claims	370	185

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
22	- 24 =	x	=	Fee (\$) Fee Paid (\$)
HP = highest number of total claims paid for, if greater than 20.				
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	
1	- 3 =	x	=	
HP = highest number of independent claims paid for, if greater than 3.				

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
	- 100 =	/50 =	(round up to a whole number) x	=

4. OTHER FEE(S)

Other (e.g., late filing surcharge):	1253 Extension for response within third month	1,050.00
	1454 Acceptance of unintentionally delayed claim for ...	1,410.00

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	55,340
Name (Print/Type)	Lacy L. Kolo	Telephone	(703) 744-8000
		Date	January 28, 2008



Docket No.: 022290.0116C1US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Valerie Legrand et al.

Application No.: 10/826,690

Confirmation No.: 9585

Filed: April 19, 2004

Art Unit: 1618

For: MICROPARTICULATE ORAL GALENICAL FORM FOR DELAYED AND
CONTROLLED RELEASE OF
PHARMACEUTICAL ACTIVE PRINCIPLES

Examiner: L. H. Schlientz

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SUBSTANCE OF EXAMINER INTERVIEW

Dear Sir:

Applicants' representatives submit this statement of the substance of the personal interview held December 5, 2007, among Examiner Leah H. Schlientz and Applicants' representatives Scott A. M. Chambers and Lacy L. Kolo. Applicants' representatives requested the interview to discuss the Office Actions issued in the present application as well as related application no. 10/492,129. Applicants thank Examiner Schlientz for the substantive discussion of the applications.

Applicants' representatives addressed the rejections under 35 USC § 112, first paragraph and the Examiner's assertion that the claims failed to meet the written description requirement. Applicants' representatives agreed that objectionable language will be clarified or removed from

the claims. Applicants' representatives will also amend the claims to obviate the double patenting issues.

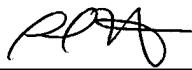
Applicants representatives also addressed the Ishibashi reference used to reject the claims under 35 U.S.C. § 102. Applicants representatives noted the instant claims are to a release without a latency period when the pH changes from pH 1.4 to pH 6.8, which contrasts the disclosure of the Ishibashi reference. The Examiner agreed to reconsider the rejection when the response to the Office Action is filed.

CONCLUSION

Applicants believe no fee is due with this submission. If a fee is due, however, please charge our Deposit Account No. 50-2228, under Order No. 022290.0116C1US from which the undersigned is authorized to draw.

Dated: January 28, 2008

Respectfully submitted,

By 

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